



# Coconino County Arizona

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**Policy Section:** County Improvement Special Districts  
**Policy Number & Title:** 2.1 Petition Signature Withdrawals  
**Date:** August 5, 2004  
**Current Revision Date:**

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Pursuant to Arizona Revised Statutes, Title 1, Chapter 2, Article 4 (§1-261).

**1-261. Withdrawal of petition signature; payment of remuneration; violation; classification**

A. A person who has signed a petition prescribed by statute for any candidate nomination, initiative, referendum or formation or modification of a county, municipality or district may withdraw the person's signature from the petition not later than 5:00 p.m. on the date the petition containing the person's signature is actually filed.

B. To withdraw a petition signature, a person may do any of the following:

1. Verify the withdrawal by signing a simple statement of intent to withdraw at the office of the receiving officer.
2. Mail a signed, notarized statement of intent to withdraw to the receiving officer.
3. Draw a line through the signature and printed name on the petition.

C. A signature withdrawn pursuant to subsection B of this section and received by the receiving officer within the time provided for in subsection A of this section shall not be counted in determining the legal sufficiency of the petition.

D. A person who knowingly gives or receives money or any other thing of value for signing a statement of signature withdrawal pursuant to subsection B of this section is guilty of a class 1 misdemeanor.

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**Policy Section:** County Improvement Special Districts  
**Policy Number & Title:** 2.2 Dissolution  
**Date:** August 5, 2004  
**Current Revision Date:**

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Dissolution of the District may be allowed if signatures representing the same percentage (70% for maintenance district and 51% for improvement districts) of District residents who petitioned the Board of Supervisors for formation of the District are submitted to the Clerk of the Board. District dissolution must be approved by the Board of Directors for that District. Any financial debt incurred by the District must be resolved before dissolution can be approved.

For Districts where roads are improved to County standards, if the District is dissolved by the Board of Directors before improvements are made, the property owners in the District will be responsible for repayment of any incurred expenses (including repayment to the County for any funds fronted for engineering expenses). These expenses will be paid through a special assessment levied against the District as prescribed by state law.

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<b>Policy Section:</b>	<b>Road Improvement District</b>
<b>Policy Number &amp; Title:</b>	<b>3.1 Formation of a Road Improvement District</b>
<b>Date:</b>	<b>August 5, 2004</b>
<b>Current Revision Date:</b>	

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The formation process for Road Improvement Districts shall require the circulation and signing of petitions by certified property owners of record within the proposed district. County staff will be available to assist in the format and language of the petition.

The Board of Supervisors may deny the formation of the District if the Board determines that the public convenience, necessity or welfare is not served by the establishment of the District.

In situations where the roadways in a proposed Road Improvement District are located on private easements, a commitment on the part of the property owners to sign the easement over to the public must be demonstrated. The documents necessary for the property owner to transfer the easement will be provided by County staff. If the District does not form, the easement will remain private.

In cases where rights-of-way or easements are required, condemnation by the District may be necessary. The Board of Supervisors may deny the formation of the District if condemnation is required for more than 25% of the property owners or for more than 25% of the property in the District. Please refer to Section 7.1 Easements to the County for additional information.

The initial costs to the district of bringing the road up to the minimum requirements may be spread over a number of years as determined by staff and approved by the Board of Supervisors on a district by district basis. The maximum time period is ten (10) years.

Following formation of the District by the Board of Supervisors, the District Engineer for the District will design the project and complete construction documents (Plans and Specifications).

After the engineering work is completed, the project will be put out for bid through a public bid process.

For Road Improvement Districts A.R.S § 48-903 will govern the petition requirements:

Pursuant to A.R.S. § 48-903. Petition to establish district; elected board; verification; plat

A. A petition addressed to the board of supervisors requesting the establishment of an improvement district may be filed with the clerk of the board, if signed by a majority of the persons owning real property or by the owners of fifty-one per cent or more of the real property within the limits of the proposed district.

For Maintenance Improvement Districts A.R.S § 48-903 in conjunction with current County policy will govern the petition requirements:

The Board of Supervisors reserves the right to deny formation of the District if signatures from at least seventy (70) percent of the property owners or owners of seventy (70) percent of the real property in the proposed District are not submitted to the Clerk of the Board.

The Board of Supervisors may deny a request to include a public easement in a maintenance district if the proposed roadway would not meet the minimum criteria of the County Engineer, including grades, vertical alignment, horizontal alignment or drainage. Additionally, the Board of Supervisors may deny the formation of a district if the resulting roadway would be detrimental to the public health, safety or welfare due to such factors as the length of the roadway, the number of parcels fronting on or having access to the roadway, the traffic volume anticipated to use the roadway or the type (height, width, weight, etc.) of vehicles projected to use the roadway.

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<b>Policy Section:</b>	<b>Road Improvement District</b>
<b>Policy Number &amp; Title:</b>	<b>3.2 Maintenance District</b>
<b>Date:</b>	<b>August 5, 2004</b>
<b>Current Revision Date:</b>	

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Roadways within maintenance Districts will be maintained under contract as a result of competitive bidding. All District roadway maintenance and improvements will be provided exclusively by private contractors.

The frequency and extent of the maintenance will be approved by the Board of Directors and shall be based on input from District residents and recommendations from County staff.

Provided that the minimum engineering requirements outlined in this document are met, maintenance Districts established exclusively for dust control, snow removal and/or grading purposes are possible.

The current minimum roadway standard for acceptance into the County maintenance system consists of fifty feet of right-of-way and a 22 foot paved roadway surface. The minimum engineering requirements adopted by the Board of Supervisors for maintenance Districts do not constitute a new County roadway standard. Roadways included in a maintenance District do not meet minimum County standards and are not eligible to become part of the County maintenance system.

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<b>Policy Section:</b>	<b>Road Improvement District</b>
<b>Policy Number &amp; Title:</b>	<b>3.3 Maintenance District Advisory Committee</b>
<b>Date:</b>	<b>August 11, 2004</b>
<b>Current Revision Date:</b>	

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Each maintenance District which is authorized by the Board of Supervisors will have the option of forming a maintenance District advisory committee, whose members will be appointed by the Director of Public Works. This committee will consist of at least three property owners from within the District and may be larger if the size of the District warrants it. The maximum size of the maintenance District advisory committee will be determined by staff in consultation with District residents. The advisory committee will serve as a liaison between County staff and District residents. The advisory committee can be consulted to provide additional input to County staff and the Board of Directors of the District on frequency of maintenance, frequency of snow removal and other issues associated with District roadways. The advisory committee should conduct meetings with and will seek input from all property owners within the District to provide staff with this maintenance information. Each District will establish their own guidelines concerning the length of service of advisory committee members, methods of obtaining resident input and other associated issues in consultation with County staff. Any questions or conflicts which may develop related to the Maintenance District Advisory Committee shall be resolved by the Director of the Department of Public Works.

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<b>Policy Section:</b>	<b>Engineering Design Standards</b>
<b>Policy Number &amp; Title:</b>	<b>3.4.1 Minimum Engineering Requirements</b>
<b>Date:</b>	<b>August 11, 2004</b>
<b>Current Revision Date:</b>	

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Any roadway improved and maintained through the improvement District process must be located on a public easement or on right-of-way dedicated to the public (A.R.S. § 48-911). If the roadways within the proposed District are not located upon an easement or right-of-way dedicated to the public, the property owners should take the responsibility to establish a public easement before the district is formed. However County staff can incorporate the procurement of the required rights-of-way with the road improvement process prior to the financing stage. Per statute, financing can not be obtained until all of the required rights-of-way are obtained. County

staff will work with residents to document the status of roadway easements within the proposed District. Roadways within a proposed District identified as having significant or higher traffic volumes by the County Engineer may require the dedication of a specific easement or right-of-way width as determined by the County Engineer and approved by the Board of Supervisors. See Section 7 for additional information concerning Rights-of-Way.

All roadways included within a District must, at a minimum, be improved to meet the State of Arizona Fire Code access road standards<sup>1</sup> which are adopted by state law (A.R.S. § Title 41, Chapter 16, article 1). These minimum criteria are as follows:

- **Minimum traveled way width: twenty-two feet (22');**
- The roadway must be improved to an all-weather status capable of carrying 42,000 pound Gross Vehicle Weight (GVW). The verification of the roadway (GVW) must be achieved by standard geotechnical investigations, and then a determined structural section of sub grade and base given as the solution to the GVW support. In many rural situations, this may consist of a built-up or raised roadbed constructed with material bladed from defining the side ditches, with approved (specified and tested) cinders or aggregates on top;
- If the roadway is paved, a minimum pavement section of 3" AC on 6" AB, or a recommended section approved by a professional testing lab, is required. Alternative pavement sections may be considered based upon unique circumstances but are subject to the approval of the County engineer;
- a minimum vertical clearance of 13'6" is required;
- a maximum grade of ten (10) percent is permitted;
- all roadways must have a curvature radius of one hundred (100) feet or greater;
- all dead-end roadways in excess of 150 feet in length shall provide a turnaround with a minimum radius of twenty-five (25) feet or an alternate turnaround approved by the fire District having jurisdiction;
- Drainage improvements to accommodate a twenty-five (25) year flood situation. (If the road is County maintained then Coconino County will pay for any drainage improvements that are required.)

**The current minimum roadway standard for acceptance into the County maintenance system consists of fifty feet of right-of-way and a 22 foot paved roadway surface. The minimum engineering requirements adopted by the Board of Supervisors for maintenance Districts do not constitute a new County roadway standard. Roadways included in a maintenance District do not meet minimum County standards and are not eligible to become part of the County maintenance system.**

The County has developed standards that require a 15" culvert with end sections if a culvert is needed. An encroachment permit is required for any new access to a county road. The enforcement officer will determine if a culvert is needed for the new approach. Culverts will be

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<sup>1</sup> Reference Uniform Fire Code, Access Roadways for Fire Apparatus, Section 10.207

sized and evaluated for the paving project and may or may not be replaced. They all will be relocated as the slopes will be flattened and the ditches will move further away from the road in most cases. The approaches will not be paved unless it is desired by the paving district. Paving the approaches will add cost to the project.

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**Policy Section:** Engineering Design Standards  
**Policy Number & Title:** 3.4.2 Recycled Asphalt  
**Date:** August 5, 2004  
**Current Revision Date:**

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The use of asphalt millings or recycled asphalt as a surfacing material is acceptable for improvement Districts for the purpose of maintenance where dust control is the primary goal. However, property owners should be advised that due to the limited availability of the product, millings may not be available based upon the prevailing market conditions and this might delay construction of the improvement. The minimum section for an improvement requires 4" of asphalt millings placed in two lifts and finished with a double chip seal. Roadways with average daily traffic volumes (ADTs) over 250 shall have a minimum section of 6" of millings. Alternative millings sections may be considered based upon unique circumstances but are subject to the approval of the County engineer

*In Districts where recycled asphalt is used as the surfacing material and the roadways are County maintained, the District is responsible for the maintenance of the surface material. This maintenance includes pothole filling, chip seals, resurfacing, crack sealing and roadway edge maintenance. On County maintained roads, the County will continue to provide snow plowing and drainage maintenance for the roadways. Any damage caused to the surface material by County maintenance will be repaired at County expense. Repairs necessitated by normal "wear and tear" of the surface material are the responsibility of the District.*

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**Policy Section:** Engineering Design Standards  
**Policy Number & Title:** 3.4.3 Additional Requirements  
**Date:** August 11, 2004  
**Current Revision Date:**

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All roadways accessing only one developable parcel which is not eligible for a legal land division according to the zoning for that parcel shall be considered driveways and are not eligible for inclusion in a maintenance District.

The roadway design requires sealing and signing by a Civil Engineer, registered in the State of Arizona. This will usually be done by County staff, but the engineering work may be contracted. All provisions of A.R.S 3-904 (Horticultural) shall be complied with and appropriate permits, if required, shall be obtained.

With the exception of minor service extensions to individual parcels, all longitudinal utility facilities should be located within street rights-of-way or strip easements. Strip easements for utilities shall not be used to deny access to parcels. All service shall be designed to avoid the need to remove or replace new pavement or other road surfaces within the first five years after construction.<sup>2</sup> Utility relocation may be required in some cases and shall be at the expense of the District.

Signage may be required by the County and shall be installed at the expense of the District and maintained by the District.

Final Plans & Drainage report must be approved by the County Engineer.

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<b>Policy Section:</b>	<b>Assessment</b>
<b>Policy Number &amp; Title:</b>	<b>4.1 Assessments and Maintenance Fee Payment Schedule</b>
<b>Date:</b>	<b>September 9, 2004</b>
<b>Current Revision Date:</b>	

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#### **Road Improvement Districts:**

All property owners in the District, who did not pay cash for the improvement during the cash collection period and are financing their assessment, will receive an assessment notice (bill) semi-annually from the County Finance Department acting on behalf of the District. The bill will contain line items for the semi-annual assessment amount plus interest. Payments are due on June 1 and December 1 each year. A minimal collection fee can be imposed on each parcel as allowed by state statute for the administration of the assessments.

#### **Maintenance Districts:**

All property owners in the District will receive an assessment notice semi-annually from the County Finance Department acting on behalf of the District. For those property owners who did not pay cash for the improvement and are financing their assessment, the bill will contain line items for the semi-annual assessment amount plus interest and the semi-annual maintenance fee. For those property owners who paid off their assessment during the cash payment period, the bill will contain a notice to pay the semi-annual maintenance fee only. Payments are due on June 1 and December 1 each year. A minimal collection fee can be imposed on each parcel as allowed by state statutes for the administration of the assessments.

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<sup>2</sup> Coconino County Engineering Design & Construction Criteria Manual

**Policy Section:** Assessment  
**Policy Number & Title:** 4.2 Insurance- Maintenance District  
**Date:** August 5, 2004  
**Current Revision Date:**

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The District shall purchase both comprehensive general liability (CGL) insurance with minimum underlying limits of \$1,000,000 per occurrence with \$2,000,000 aggregate. The County shall be named as an additional insured on these policies.

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**Policy Section:** Assessments  
**Policy Number & Title:** 4.6 Ownership of the Assessment  
**Date:** August 5, 2004  
**Current Revision Date:**

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Occasionally Title and/or Loan Companies will call to see if the assessment is transferable or if the current owners of the property need to make full payment in order to sell the property. An assessment for the purpose of road improvements makes the land obligated, not the people. The Title and/or Loan Company and the owners will need to work together. The new owner will have to pay or assume the assessment if it was bonded.

If the purchase contract or the title policy addresses the assessment then the seller and the buyer can negotiate who pays. The District would like the assessment payment during the cash collection period or will have to bond the assessment amount.

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**Policy Section:** Financing  
**Policy Number & Title:** 6.1 County Contribution  
**Date:** September 9, 2004  
**Current Revision Date:**

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***For Improvement Districts for the purpose of maintenance:*** Coconino County will pay for Engineering, Bond Counsel and Financial Advisor costs for Improvement Districts formed for the purpose of maintenance in which the total cost of the project does not exceed \$200,000. In those Districts where the total cost exceeds \$200,000, a flat 10 % of the total project costs for the District will be contributed by the County as its share. If the County's initial contribution to Engineering costs in a District ultimately exceeds 10% of the total costs of the District, the County contribution in excess of 10% shall be repaid to the County by the District. Total District



costs include construction, Engineering fees, Financial Advisor fees and Bond Counsel fees. All rights-of-way acquisition fees will be paid by the District.

***For Improvement Districts where roads are improved to County standards:*** Coconino County may contribute a percentage of the total costs based upon the functional classification of the roadway(s) being improved providing funds are available. Specifically, Coconino County can contribute 40% for Major Collector roads, 25% to Minor Collector roads and 10% for Local roadways. These functional classification definitions will be determined by the Coconino County Public Works Department.

***Drainage:*** Coconino County may determine the need for drainage improvements within a district. Coconino County may provide funding for these improvements providing funds are available. The need for drainage improvements will be determined by the Coconino County Public Works Department.

County financial contributions to Districts formed in geographic areas that contain minor land divisions and/or subdivisions approved after November 13, 1997, are subject to the approval of the Board of Supervisors in the form of an adopted resolution approving the contribution.

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<b>Policy Section:</b>	<b>Financing</b>
<b>Policy Number &amp; Title:</b>	<b>6.2 Compensation for the District Engineer</b>
<b>Date:</b>	<b>September 9, 2004</b>
<b>Current Revision Date:</b>	

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Pursuant to A.R.S. § 48-913, claims of the District Engineer for compensation may be paid in advance of the bond sale by the County with the approval of the Board of Directors for the District. The amount of funds that the County can provide to the District for engineering expenses shall be limited by the guidelines established by the Board of Supervisors for providing financial assistance to improvement Districts.